STATE WATER CONSERVATION COMMISSION Minutes of Meeting Held in Office of Water Conservation Commission March 14, 1952 Bismarck, North Dakota

On March 14, 1952, the Members of the State Water Commission attended a regular meeting of the Commission held in the Office of the Water Commission at 9:30 o'clock a.m., at which the following named persons were present:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

Honorable Norman Brunsdale, Governor and Ex Officio Chairman Curtis Olson, Vice-Chairman, Valley City, North Dakota Earle F. Tucker, Member from Bismarck, " " Math Dahl, Member from Bismarck, and Commissioner of Agriculture and Labor J. J. Walsh, Secretary & Chief Engineer, State Engineer

OTHERS PRESENT:

A. J. Shriner, Secretary, Bismarck Chamber of Commerce P. D. Akin, District Engineer, U.S. Geological Survey, Grand Forks

U.S. Corps of Army Engineers:

Colonel R.J.B. Page, Garrison District Engineer Mr. Hayes, Chief, Engineering Division, Garrison District Mr. Pratt, Chief, Reports and Hydraulics Branch, Garrison District

Lloyd G. Thompson, Supt., State Training School, Mandan Mr. Art Scott, State Training School

Northern Pacific Railway Company:

C. P. Davis, Division Superintendent A. W. Brady

Harris Robinson, Maintenance Engineer, Bismarck Division, State Highway Dept.

Land Owners:

John J. Ressler Arthur Sauter N. S. Trauger Kenneth W. Clauston Clarence L. West

Russ Greenlee, Associated Press correspondent Einar Berge, Publicity Mgr. for the Water Commission

The meeting was called to order by Vice-Chairman Curtis Olson at 9:30 a.m., with Commissioners Tucker and Olson, Secretary J. J. Walsh, Vernon Cooper, Asst. Secretary, and P. D. Akin, District Engineer with the U. S. Geological Survey, present.

At 9:45 a.m. A. J. Shriner, Secretary of the Bismarck Chamber of Commerce, met with the members of the Water Commission to present a proposal for compensating them financially in their handling of the Bismarck Irrigated Gardens project. He said they were recommending that the rental rates on garden plots be increased from \$15.00 to \$18.00

on 1/4 lots, and from \$7.50 to \$9.50 on 1/8 acre lots, to take care of the expenses incurred in operation. Two proposals were submitted: (1) To determine a fixed amount as payment to the Chamber of Commerce for administration services, including advertising, holding lot drawings, making collections, keeping records, etc.; (2) That the Water Commission make payments to the Chamber of Commerce on a commission basis, determined by the number of garden lots rented during the season. Mr. Shriner reported that 164 lots had been rented during the 1951 season. He said that either arrangement would be satisfactory with the Chamber of Commerce.

Mr. Shriner left the meeting at 9:50 a.m.

that they could use \$50,000.

Russ Greenlee, Associated Press correspondent, entered the meeting at 9:55 a.m.

Einar Berge, Publicity Manager for the Commission, entered the meeting at 10 o'clock a.m.

Russ Greenlee left the meeting at 10:00 o'clock a.m.

Mr. P. D. Akin, District Engineer of the U.S. Geological Survey, Grand Forks, appeared before the Commissioners presenting plans for proposed underground water investigations for the coming season, desirous of getting drilling work started by April 1. He said investigations were planned in the Streeter and Tappen areas as soon as road and weather conditions permitted, and requested additional financial assistance of at least \$2500 each year of the Biennium for matching with Federal funds. Mr. Akin reported that additional test drilling was also pending in the Devils Lake and Warwick area, and that two observation wells will be put in as soon as the City is ready and has furnished the pumps, to determine if there is sufficient water in the wells to be of practicable value. Further investigations should also be completed in the Bowbells area. Mr. Akin stated that of the \$35,000 cooperative funds appropriated for the biennium, 12% of the Federal share, amounting to \$2100, was used for administration purposes at Washington headquarters, there being no direct appropriation to maintain the Washington office. He explained that the Water Resources Branch consisted of three divisions each headed by a chief, and that funds were also needed for other administrative and technical help in reviewing reports, etc. Mr. Akin told the Commission it would take a total of \$40,000 for the biennium and

Vernon Cooper, Asst. Secretary of the Commission, reported that three cities had not fulfilled their financial obligations for underground water surveys and investigations conducted by the U. S. Geological Survey, and still owed the following amounts: New Rockford, \$500; Sharon \$750; and Minnewaukan \$1,000.

Mr. Akin discussed the investigations at New Rockford saying that the City was having trouble with the wells filling with sand, and that the community of New Rockford wished to know if there was any other location where coarser soil materials would be more suitable to drilling a well. Mr. Akin was of the opinion that such a well could be drilled about 500 feet from the former location which would greatly benefit the city, and was favorable to completing both the New Rockford and Minnewaukan investigations, as he believed there was a possibility of finding a larger water supply at a deeper level in the Minnewaukan area. He stated that Dr. Laird was favorable to drilling a few test wells in the Minnewaukan area, providing they pay the \$1,000 promised in their agreement.

The Commissioners instructed Mr. Akin to submit their groundwater report on the New Rockford area to the City. Mr. Akin agreed to do this and also promised to send the Minnewaukan report on to Washington. The Commission informed Mr. Akin that the maximum amount the Commission could request be transferred for this program was \$3,500 additional for the biennium (10% of the total cooperative funds, which is allowed), and that application would have to be made to the Emergency Commission for approval of transfer of moneys from some other fund.

Mr. Akin left the meeting at 11:00 o'clock a.m.

The members of the Water Commission were informed of the date of the next Missouri Basin Inter-Agency Committee meeting to be held March 20, at Kansas City, Missouri, and were also advised of the purchase of 1,000 copies of MBIAC pamphlets, which have been ordered by the Water Commission but are not yet off the press.

Vice-Chairman Curtis Olson read a report of inspection of the temporary repair work on the spillway of Bismarck Country Club dam made on February 7 by Engineer Don Nichols, approving the temporary repair work that was done last fall. The Commission agreed at the November 29, 1951 meeting to assist in paying a portion of the repair costs, not to exceed \$500. Commissioner Tucker reported that he and Commissioner Math Dahl had contacted the Burleigh County officials with regard to the section line road north of the Country Club, and that the County is very much in favor of building a speedway road through to join both north and south roads leading to and from the Country Club.

The Commissioners were notified of the receipt of two "Opinions" from the Attorney General's office with reference to the proper procedure to be followed in depositing funds received by the Water Commission from various sources, and the procedure to be followed in disposing of such funds. Another opinion dealt with the method of handling repayable accounts still listed on the books of the Water Commission. The Attorney General held that in the absence of any payments having been made on the accounts during the past six years, or in the absence of any understanding had or agreement made during that period, such accounts would be outlawed by the statute of limitations and no longer collectible, and should be "charged off" the Commission's records as repayable accounts.

The meeting recessed at 12 o'clock noon to reconvene at 2:30 o'clock p.m., with Commissioners Tucker, Olson, Math Dahl, Secretary Walsh and Einar Berge present.

Governor Brunsdale entered the meeting at 2:35 o'clock p.m.

It was moved by Commissioner Tucker, and seconded by Commissioner Math Dahl, that the Minutes of the January 11, 1952 meeting of the State Water Commission be adopted and filed. Upon roll call, Commissioners Math Dahl, Tucker, Olson and Governor Brunsdale voted unanimously in favor of the motion. Motion carried.

It was moved by Commissioner Tucker, and seconded by Commissioner Math Dahl, that the Financial Statements of the State Water Conservation Commission for the months of January and February, 1952, be approved and filed in the office of the Water Commission. Upon a unanimous vote of Commissioners Tucker, Math Dahl, Olson and Governor Brunsdale the motion carried.

Mr. Harris Robinson of the State Highway Commission entered the meeting at 2:45 p.m.

Members of the Commission present during the morning session reported at the afternoon meeting on the Bismarck Irrigated Gardens report presented by A. J. Shriner suggesting an increase in rental rates and additional funds for doing clerical work.

Commissioner Tucker moved that the rental rates be increased from \$15.00 to \$17.00 for 1/h acre lots and from \$7.50 to \$8.50 for 1/8 acre lots, and that the Chamber of Commerce be allowed \$250 for services in assigning lots, making rental collections and other work related to the Bismarck Irrigated Gardens. The motion was seconded by Commissioner Olson, and roll was called with Commissioners Tucker, Olson, Math Dahl and Governor Brunsdale all voting aye. Motion carried.

The Commissioners resumed their discussion of Mr. Akin's request during the morning session for additional funds to continue their underground water surveys and investigations, and the following action was taken: Commissioner Olson moved that the Water Commission authorize the Secretary of the Water Commission to make application for a transfer of \$3,500 from the "Cooperation with U.S. Departments" fund, 1951-1953 appropriation, to the

"Engineering and Geological Survey" fund when such additional funds are required, to be matched by Federal funds which are to be used for groundwater surveys in North Dakota. The motion was seconded by Commissioner Tucker, and upon roll call by the Chairman, Commissioners Math Dahl, Tucker, Governor Brunsdale, and Olson all voted age. Motion carried.

Colonel R.J.B. Page, Mr. Hayes and Mr. Pratt, U.S. Corps of Army Engineers, entered the meeting at 2:55 p.m. to meet with a delegation from Mandan at the request of Mr. Thompson, Superintendent of the State Training School, to discuss flood protection works along the Heart River.

The Commissioners were notified of the receipt of information that the farmers and owners of land in the vicinity of Oakes, North Dakota, are considering the submission of a petition to the Bureau of Reclamation at Washington, D. C. for the establishment of a Development Farm in the Oakes area.

It was moved by Commissioner Olson, and seconded by Commissioner Math Dahl, that the North Dakota Water Conservation Commission contribute \$250.00 toward the Commission's annual membership for the year 1951-1952 in the National Water Conservation Conference. Upon roll call by the Chairman, Commissioners Math Dahl, Olson, Tucker and Governor Brunsdale all voted in favor of the motion. Motion carried.

At 3:05 p.m. Mr. L. G. Thompson, Superintendent, and Mr. Art Scott of the Mandan Training School; Mr. C. P. Davis, Division Supt., and Mr. Brady of the Northern Pacific Railway Company; and a delegation of land owners along the Heart River west of Mandan entered the meeting and presented a petition signed by twelve landowners for the construction of a dike along the Heart River to protect lands from flooding south of U.S. Highway No. 10, located three or four miles west of Mandan. Supt. Thompson explained they would like to have this dike constructed in order that the river can be kept in its channel and prevent the flooding of Training School grounds. They proposed building a dike about 1500 feet long. Mr. Davis, Division Superintendent of the Railway Company, stated they had a bridge four miles west of Mandan at a rather low spot where water rises and finds its way down the side of the track. He said they had met with some opposition which claims the water floods the low lands lying west of the proposed dike, their only interest being to keep water from going down there. The water floods the railroad stock yards at a place called Sunny, and a dike would tend to keep the water in the original channel and from washing out the track and running into the stock yards.

Colonel Page advised the Commission that the Army Engineers had authority under which they could perform such work if it is non-controversial, but that local participation would be necessary for maintenance and operation after completion, therefore they wished to know if the Water Commission would act as the civic organization in sponsoring it. He believed the success of the structure might lie in the use of the highway embankment, which would necessitate some additional reinforcement. The Army Engineers estimated that the dike would cost approximately \$10,000, but said this would depend on how much work would be involved along the embankment.

Mr. Thompson stated that the State Training School had no appropriation in their budget for this project. Mr. Trauger said the land owners are willing to grant easements on which to build the dike and all dirt may easily be obtained from hills close by. Those interested will contribute toward the cost according to the protection that will be afforded them. Mr. Thompson informed the Commissioners there were 200 acres of bottom land belonging to the State Training School affected, and serious damage was done to buildings, which have to be moved each spring, with four feet of water flowing around farm dwellings. He told the Commissioners he knew of only one person objecting to the construction of the dike, and that the township and school district, located in the flooded area, had no objection to a dike being constructed west of the school district.

The Army Engineers felt there should be no objection to the State requesting this investigation in that the project was inspired by local people, and the Commission might go ahead and make a tentative commitment without being entirely obligated. Col. Page stated the Corps of Engineers would proceed with the preliminary survey, but they must be reasonably sure that the state is in sympathy with the project, and that extent of objections should be determined before the state assumes responsibility. Col. Page also advised the Commission that the Army Engineers would have to have assurances of cooperation from the sponsoring agency to hold the United States free from damages, such as the necessary rights-of-way for construction; and that if the Water Commission assumes the responsibility as sponsoring agency and gives these assurances, costs will be entirely borne by the U. S. Government, except for the rights-of-way. It was also agreed that political subdivisions such as counties, townships and school districts should sign easements, and that the Northern Pacific Railway Company should also back the project. The Army Engineers were in agreement with the proposed dike running parallel with the river.

(Mr. Davis left the meeting at 3:30 p.m.)

Col. Page further advised the Commissioners that they would require assurances of local cooperation prior to construction, but not prior to the preliminary report, and assured them they could have the preliminary report available quickly, and that a reconnaissance survey could be started within two weeks after receiving a request from the Commission; and if the preliminary report when submitted to higher authority, indicated the proper beneficial ratio, the Chief of Engineers who has the blanket authority, would authorize them to make a more detailed report, requiring more time. He suggested, also, that they expedite action so the Army Engineers can utilize this year's working season.

Commissioner Math Dahl moved that the State Water Commission act as sponsor in requesting the U. S. Corps of Army Engineers to conduct a preliminary survey for the construction of a dike for the protection of affected property from flood waters of the Heart River, to be erected at a site approximately one half mile west of Sunny, North Dakota, as specified and directed by the U. S. Corps of Army Engineers, and as requested by the petitioners in their petition to the State Water Conservation Commission, dated January 21, 1952. The motion was seconded by Commissioner Tucker, and upon roll call by the Chairman, Commissioners Tucker, Olson, Dahl and Governor Brunsdale all voted in favor of the motion. Motion carried.

The delegation left the meeting at 3:50 o'clock p.m.

Bids received for a new 3/4 ton pickup truck and the trade-in of the Commission's 1945 $\frac{1}{2}$ ton Chevrolet pickup on this new truck were discussed with Commissioners Olson and Tucker. It was recommended that the Secretary secure a quotation from a Ford dealer and then proceed to accept the best offer.

The meeting adjourned at 4 o'clock p.m.

Respectfully submitted,

Secretary Secretary

ATTEST:

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MORTH PAROTA STATE WATER CONSERVATION COMMISSION MONTHLY REPORT OF ACCOUNTS AS OF MARCH 31, 1952 1951-1953 APPROPRIATIONS

Fun		Available July 1951	Expended to Feb. 29, 1952	Narch, 1952	Balance Mar. 31, 1952
1	Commissioners-Per Diem & Expenses	\$6,000.00	\$1,343.04	wil.	\$4,656.96
2	Administration	35,000.00 2,222,42	10,501.76	\$1,218.27	25,502.39
3	Naintenance of Dams	120,000.00 49,671.15	50,595.62	3,063.30	116,012.23
4.	International & Interstate Commissions & Conference Expense	14,000.00	2,080.98	499.03	11,419.99
.5 *	Topographic & Conservation, Cooperation with U.S. Geological Survey	35,000.00	yil	5 .790.5 5	29,209.45
6	Hydrographic Surveys, Cooperation with U.S. Geological Survey	25,000.00	6,462.12	wil ·	18,537.88
7	Salary-State Engineer	6,000.00	2,000.00	250.00	3,750.00
g	Construction & Reconstruction Drains or Irrigation	90,000.00	yi1	mil .	90,000.00
.9	Engineering & Geological Surveys & Demonstrations	35,000.00	10,454.86	35.00	24,480.14
1.0	Cooperation with U.S. Departments & for organizing Conservation & Irrigation Districts	65,000.00	31,537.05	2,763 .5 8	30,699.07
11	Small Projects, Other Invest., Surveys & Etc	150,000.00	9,981.56	2,262.01	137.756.43
12	Construction Bond Guaranty Fund	70,541.00 \$703,434.57	\$124,9 86,99	\$15,882.04	70,541.00 \$562,565.54
VSC	: bo	φ <u>ιου, τυτ. υ</u>	\$154' Jon' 33	917,000.00	\$302,783.3 4

MORPH DAKOPA STATE WATER CONSERVATION COMMISSION MONTHLY REPORT OF ACCOUNTS AS OF MARCH 31, 1952 1949-1951 APPROPRIATIONS

und No.		Available July 1949	Expended to March 31, 1952	Balance March 31, 1952
1	Commissioner's Per Diem and Expenses	\$4,000.00	\$3,995.89	\$4.11
2	Administration	30,000.00 5,829.70	35,818.16	11.54
3	Maintenance of Existing Dams	100,000.00 53,569.62	153,393.52	176.10
4	International and Interstate Commissioner's and Conference Expenses	12,000.00	9,901.05	2,098.95
5,	Topographic and Conservation, Cooperation with the USGS plus transfers	33,085.60	33,085.60	N il
6	Hydrographic Surveys, Coop. with US@S	20,000.00 90.87	20,090.87	Wil
7	Salary-State Engineer	5,400.00	5,400.00	Nil
3	Construction and Reconstruction - Drains or Irrigations	150,000.00	111,927.65	38,072.35
9	Engineering & Geological Survey & Demonstrations, plus transfer	33,006.12	33,006.12	Nil
.0	Cooperation with U.S. Depts., Small projects & for organizing Conservation & Irrig. Dist. plus refunds less transfer of \$13,000.00	122,077.30	52,947.10	69,130,20
1	Other Investigations, surveys and Etc	90,000.00 36.76	89.914.61	122.15
ひぐい	la be	\$ <u>659,095,97</u>	\$549,1980.57	\$109.615.40

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION BALANCE OF PRIOR FUNDS RECOVERED BY OPINION OF ATTORNEY GENERAL AND UNDER SECTION 54-2709 AS OF MARCH 31, 1952

Fund No.	Year	Appropriations for	Balance Available	Expended to March 31, 1952	Balance March 31, 1952
1	1939	Commissioner's Per Diem , , , , , , , ,	\$1,727.00	\$1,684.24	\$42.76
5	1939	Sponsor's Share of Dam Repairs	2,088.08	2,058.52	29.56
1	1941	Commissioner's Per Dien	395.00	159.76	235.24
4	1941	Naintenance of Existing Dams, plus \$51,00 refund	5 3.8 6	Ni1	53 .86
12	1941	Tri-State Water, Administration and Conference	s. 61	nil.	8. 61
15	1941	Topographic Survey	.13	<u> </u>	13
		9 861	\$4,272.68	\$ <u>3,902.52</u>	\$ <u>370.16</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION DEPOSITS IN THE BANK OF NORTH DAKOTA MARCH 31, 1952

Sources of Deposits	Transit	Amount Deposited	Expended to March 31, 1952	Balance March 31, 1952
ollection on Yellowstone Pumping Irrigation istrict \$3,500.00 warrant. Tax collections or partial payment of interest and principal			100	183
o March 1951.	501 –118	\$1,433.03	9.	\$1,433.03
ontributions for Groundwater Surveys:	2			
Fessenden \$1,000.00 Streeter \$1,000.00 Nountain 100.00 Noball 1,000.00				90
Nountain 100.00 Hohall 1,000.00 Naddock 750.00 Richardton 750.00	<u>1</u> 5			2:
Lakota 1,000.00 Bowbells 1,000.00		*		
Rolla 750.00 Michigan 580.50 Devils Lake 7,500.00 Wimbledon 1,000.00			*	
Aneta 1,000.00 Fairmount 1,000.00		10)		
Litchville 1,000.00 Hope 1,000.00			×	
Wyndmere 1,000.00 Sharon 250,00 Portland 700.00				*
Kindred 1,000.00				
Mylo 250.00				
Neche 300.00 Fransfer .10				¥.
Fransfer .10 St. John 750.00	501-128	24,680.60	\$20,048.58	4,632.02
ale of N. Dak. Water Development Books	501127	2,770.67	1,25	2,769.42
ewis & Clark Irrig. Dist. Drainage Fund	501-121	2,896.92	2,786.40	20.52
issouri-Souris Unit Cooperative Study	501-122	10,000.00	803.18	9,196.82
TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS				\$18,051.81

PAYROLL OF
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MARCH 31, 1952

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Name	Duties	Salary for	Withhold-	N. D.	Hoap.		Remark s
		March	ing Tax	OASIS	Ins.	Pay	
walak t t	Secy-State Engineer	\$550.00	\$65.60	\$8.25	\$6,88	\$469.27	Increased January, 1952
Walsh, J. J.	Spec. Ass't Atty Gen.	400.00	59.80	6.00	6.88	327.32	Increased January, 1952
Acker, Iver A.	Field Engineer	325.00	42.60	4.88	1.95	275.57	Increased January, 1952
Anderson, Albin	Technical Assit	150.00		2,25	6.88	140,87	Increased April, 1951
Berge, Minar	Bookkeeper	200.00	29.30	3.00	1.95	165.75	Increased January, 1952
Carman, Bertha	Asait Seciy	425.00	41.60	6.38	6.88	370.14	Increased January, 1952
Cooper, Vernon	Assit Const. Engineer	325.00	31.50	4.88	6.88	\$6.25 275.49	Increased Jamary, 1952
Dodd, Harold Bamble, Clarence	Ass't Field Engineer	275.00	44.10	4.13	1.95	224.82	Increased January, 1952
	Chief Invest, Engineer	1. i. i	59.80	6.00	1.95	332.25	Increased January, 1952
Hagert, E. S. Kudinow, Wasilij	Draftsman	225.00	23.00	3.38		198.62	Increased January, 1952
LeGore, Robert	Field Engineer	325.00	53.70	4.88	1.95	264.47	
Michols, Don	Chief Const. Engineer	425.00	41.60	6.38	6.88	370.14	Increased January, 1952
Mordstrom, Franz	Equipment Foreman	300.00	26.70	4.50		268.80	Increased Jamary, 1952
Peterson, Vinifred	- -	260.00	40.90	3.90	1.95	213.25	Increased January, 1952
Puts, Roy	Rodman	150.00	18.90	2.25	1.95	126.90	
Schmitcke, Otto	Laborer	235.00		3.53	123	231.47	
Sheldon, Marvin	Const. Engineer	350.00	36.30	5.25	6,88	301.57	
Torvik, Duane	Design Engineer	325,00	42.60	4.88	0.0	277.52	
Worle, Joyce	Stenographer	180.00	25.30	2.70	1.95	150,05	
Kramer, Joe	Const. Foremen	275.00		4.13		270.87	
Brostrom, Paul	Ass't Engineer	250.00	17.10	3.75		229.15	Started Feb. 11, 1952